

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-443

February 11, 2000

TOWN OF HARPSWELL et al.
Request for Commission Action Regarding
Alleged Unjust and Unreasonable Rates,
And Lack of Options, for 911 Emergency
Service to the Exchanges: 833, 727, 729 of
Bell Atlantic-Maine in Harpswell

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY OF DECISION

In this complaint proceeding pursuant to 35-A M.R.S.A. § 1302, the Town of Harpswell and nine other persons requested the Commission to require Bell Atlantic-Maine to provide a particular form of emergency calling service that would use 911 as a calling number and forward the call to the Cumberland County Sheriff's Department in Windham. Because Enhanced 911 (E-911) service will provide the relief that Harpswell seeks in the near future and for other reasons set forth in this Order, we decline to grant the requested relief.

II. BACKGROUND

A. The Complaint

On June 12, 1998, the Town of Harpswell and nine other persons (all residents of the Town of Harpswell) filed a complaint pursuant to 35-A M.R.S.A. § 1302 concerning emergency telephone service in the Town of Harpswell. The complaint requested the Commission to order New England Telephone and Telegraph Company d/b/a Bell Atlantic-Maine (BA-ME) to furnish a form of service that would provide customers located in the Town of Harpswell with the ability to dial 911 and be connected to the Cumberland County Sheriff's Department (CCSD) Public Safety Answering Point (PSAP) in Windham. The CCSD PSAP dispatches fire, rescue and police emergency services for Harpswell and a number of other towns located in Cumberland County. The proposed service is not included in Bell Atlantic's tariff. It is different from Bell Atlantic's tariffed Basic 911 (B-911) service, as explained below.

Under Harpswell's proposal, a customer would dial 911 and the call would be translated into a seven-digit number for the Windham exchange, which uses the central office, or "NXX," code of 892. The call would then be forwarded to the CCSD PSAP in Windham using a service called remote call forwarding. The proposed service would have routing attributes similar to an emergency calling system presently in effect

for Harpswell that uses the number 729-8000 and remote call forwarding to the CCSD PSAP in Windham.

As discussed in greater detail below, there are difficulties in implementing the service Harpswell has requested because Harpswell is served by two BA-ME exchanges, and one of those exchanges serves another town that subscribes to regular B-911 service. Approximately 60% of the lines in Harpswell are served by the Bell Atlantic Harpswell exchange, which is assigned the 833 NXX Code. The rest of the lines are served by the Bell Atlantic Brunswick exchange, which is assigned 725, 729 and other NXX codes. The Town of Brunswick (most of which is served by the Brunswick exchange) subscribes to B-911 service. To provide the portion of Harpswell that is served by the Brunswick exchange with the requested service, it would be necessary for the switch in the Brunswick exchange central office to distinguish 911 calls that originate from locations in the Town of Brunswick from those that originate from locations in the Town of Harpswell.

As described below, the requested relief was modified during the pendency of the complaint because Harpswell subscribed to B-911 service for the portion of the town that is served by the Harpswell (833) exchange.

This case was not processed rapidly as it should have been. Some delays were caused by slow responses to discovery by Bell Atlantic, and by shifting claims of impediments to providing the requested service, some of which turned out to be incorrect. At least one of the mistakenly claimed impediments resulted in an unnecessary discovery effort by the Town. Some delays were caused by good faith but fruitless attempts by the parties and the Commission's advisors to explore alternative solutions.

B. Emergency Service in Harpswell at the Time Complaint Was Filed

At the time Harpswell filed the complaint, the emergency services calling number for all locations in the Town of Harpswell was 729-8000, which is a number in the Brunswick exchange. Calls placed to that number were forwarded by remote call forwarding to the CCSD PSAP located in Windham. Remote call forwarding is a service that takes a call placed to a seven-digit number in one exchange (in this case, Brunswick) and translates it to a different seven-digit number in a "remote" exchange (in this case, Windham, NXX 892), so that the call is routed to the number in the remote exchange. The translation of the 729-8000 number to an 829-XXXX number is not apparent to the caller.

The Brunswick exchange is adjacent to the Harpswell exchange (NXX 833) and is within the local calling area of the Harpswell exchange. Thus, calls to 729-8000 are toll-free from both of the exchanges that serve the Town of Harpswell. The Windham exchange is not within the local calling area of either the Harpswell or Brunswick exchanges. The Town pays Bell Atlantic for the remote call forwarding service that routes the calls to Windham.

Despite efforts by the Town to educate its residents to use the 729-8000 number, some people nevertheless dial 911. According to the Town's witness, Gordon Weil, Harpswell has many summer residents whose permanent domiciles are out-of-state. Mr. Weil claimed that most of these residents are used to having 911 services at their permanent domiciles.

Prior to the changes described below, if a person in Harpswell in the area served by the Harpswell (833) exchange dialed 911 (instead of 729-8000), a Bell Atlantic operator would intercept the call and transfer it to the CCSD PSAP. Both at the time the complaint was filed and at the present time, when persons located in the portion of Harpswell that is served by the Brunswick exchange dial 911, they are connected to the PSAP for the Town of Brunswick. The Brunswick PSAP attendant forwards the information provided by the caller to the Cumberland County PSAP, but does not attempt to forward (re-route) the call itself to the Cumberland County PSAP. Thus, the original caller does not speak directly with the attendant at the CCSD PSAP, and there is no direct connection between the original caller and the dispatching PSAP. Accordingly, fire, rescue and police personnel cannot communicate even indirectly with the caller through the PSAP attendant. According to Mr. Weil:

[t]he [Harpswell] rescue people believe it is a matter of critical concern to be able to keep the line open so they can get instructions to people attending, people who are ill, before the ambulance gets there and that it simply has not been possible using the Brunswick system.¹

Mr. Weil testified, however, that the officials of the Brunswick PSAP believe that it is too likely that the call will be "lost" if the Brunswick attendant attempts to forward the call, and Brunswick will not assume liability. He also testified that the Harpswell Fire Department's response time is evaluated by the State and:

There is a state standard which they are expected to meet, and . . . they believe the incremental delay caused by the relay by Brunswick, which would have kept the line open, was still sufficient to add time that would cause them not to meet the standard . . .²

¹ It is not clear why it is not possible for the attendant at the Brunswick PSAP to provide the CCSD PSAP with the caller's phone number and, in some circumstances, for the attendant at the CCSD PSAP to call the original caller so that an open line may be maintained between the caller and the PSAP attendant. The evidence, however, does not address this possibility.

² There is no indication that rescue or police response time is similarly evaluated.

Harpswell apparently believes that it takes less time for the Brunswick PSAP attendant to obtain the information from the caller, and to then relay the information to the CCSD PSAP, than it does to forward the call itself so that the caller may speak to the CCSD PSAP attendant directly. Harpswell has apparently decided that meeting the state standard has a greater value than keeping an open line between the PSAP and the caller. Meeting that state standard presumably also has the value of minimizing the response time to the fire and diminishing the risk of harm to persons and to property, and of course, by not transferring the call itself, the call cannot be lost.

C. Change in Service During the Pendency of the Complaint

While the complaint was pending, Harpswell subscribed to Bell Atlantic's basic 911 (B-911) service for the portion of the town that is served by the Harpswell exchange (833). The Town could not subscribe to B-911 for those portions of the exchange served by the Brunswick exchange (725, 729, etc.) because of the difficulty, described in greater detail below, of distinguishing callers within the Brunswick exchange who are located within the Town of Harpswell from those who are located within the Town of Brunswick, and routing each group's calls to the appropriate PSAP (Cumberland County or Brunswick).

Because Harpswell subscribed to B-911 for the portion of the town that is within the Harpswell exchange, the scope of this proceeding is narrowed to whether we should order Bell Atlantic to provide the requested 911/remote-call-forwarded service to the portion of Harpswell that is served by the Brunswick exchange. The narrowing of the requested relief to the portion of the town that is served by the Brunswick exchange does not make the case any simpler, however, because the primary difficulty remains the need to modify the systems in the Brunswick switch to distinguish calls from Harpswell residents from those of Brunswick residents.

D. The Status Quo

1. Areas Within the Harpswell (833) Exchange

Because Harpswell has subscribed to B-911 for the 833 (Harpswell) exchange, persons within that area who dial 911 are connected directly to the Cumberland County PSAP in Windham. The calls are routed from the central office switch in Harpswell to Windham over private lines. Private lines are dedicated circuits, i.e., they are dedicated to the use of a single customer, unlike interoffice trunks, which are shared by a large number of customers. On rare occasions, all of the interoffice trunking circuits between one location and another might be filled, resulting in a "fast busy" signal to the caller. The use of dedicated circuits also means that no switching is required between the Harpswell switch and the CCSD PSAP in Windham. By contrast a 729-8000 call must be switched at Brunswick and translated to the 892-XXXX

number, and switched at Portland and Windham.³ For both of these reasons, dedicated circuits provide a more secure and reliable form of service for important communications such as emergency calls. In addition, B-911 service itself provides safeguards that are not available as part of the call-forwarding methodology used for routing the 729-8000 calls (or as proposed by the town, the 911 calls that would be translated into a 892-XXXX number). Those safeguards are described in Bell Atlantic's Terms and Conditions:

1. **Tone Application** permits differentiation between a caller who abandons a call before the emergency service bureau attendant answers and a caller who retains connection but is unable to speak.
2. **Forced Disconnect** prevents a caller from tying up a line. The emergency service bureau attendant releases the line by going on-hook.
3. **Called Party Hold** enables the emergency service bureau to retain control of the connection regardless of the calling party's switchhook status. In some situations, this feature is not available with lines furnished on a foreign central office or foreign exchange service basis.

If persons in the portion of Harpswell served by the Harpswell exchange call 729-8000, rather than using the B-911 service available to them, they will be connected to the CCSD PSAP by remote call forwarding, (just as are persons in the portion of the town served by the Brunswick exchange) but they will not receive the same level of security and the B-911 safeguards that occur with a B-911 call.

2. Areas Within the Brunswick Exchange

Persons in the portions of Harpswell that are served by the Brunswick exchange are told to use the 729-8000 number. The safeguards that accompany B-911 calls do not exist with the 729-8000 calls that are remote-call-forwarded to the CCSD PSAP, nor would they exist under the system proposed by Harpswell. Thus, for example, if a call were disconnected before the caller could provide the attendant at the PSAP with a location, or if the caller became unconscious, the PSAP attendant might not have the ability to determine where the call came from or possibly even the nature of the emergency.

If persons within the Brunswick exchange portion of Harpswell mistakenly dial 911, they are connected to the PSAP for the Town of Brunswick. As

³ Harpswell could eliminate the risks associated with the use of interoffice trunks by routing the 729-8000 calls from Brunswick to Windham over dedicated circuits, i.e., by subscribing to "foreign exchange" service.

explained above, the Brunswick PSAP operator will call the Cumberland County PSAP and relay the information provided by the caller but will not attempt to actually re-route the call to the CCSD PSAP.

III. DISCUSSION

911 is becoming the national standard for obtaining emergency services by telephone. 911 is an easier number to remember than any seven-digit number. As its use becomes more widespread, persons seeking to obtain emergency services are likely to attempt to dial "911," even if 911 service is not available in a particular area, and are less likely to be aware that they should dial a seven-digit number. Many seven-digit emergency numbers are difficult to remember, and there is little uniformity in Maine. The first three digits of seven-digit emergency numbers are necessarily different in each exchange, and there is almost no uniformity among municipalities for the last four digits. Even within the same municipalities, the emergency numbers for police, fire and rescue are often different from each other.

Harpswell has presented reasonable concerns in this case. Delays in providing emergency services may occur if callers mistakenly dial 911 or if they do not know the correct number to dial. Any delay may increase the risk of harm to persons and property. Harpswell also points out the lengthy distances in its town, making any delay due to emergency calling procedures even more critical. The western portion of the town is a long peninsula (Harpswell Neck) connected to Brunswick. The eastern portion is a series of three islands that effectively constitute a peninsula because of their connection to each other and to the mainland (Brunswick) by bridges. Brunswick is to the north of Harpswell. The two major portions of the town are separated by water (Harpswell Sound), but are connected by a road and bridge where the Sound narrows toward the northerly end of the town.

The fact that Harpswell is served by more than one exchange is not exceptional. Most municipalities in the state are served by more than one telephone exchange. Invariably, one or more of those exchanges also serves portions, small or large, of other municipalities. Harpswell may be somewhat unusual, but is not unique, in having 40% of its lines served by an exchange that also serves another municipality. Many of these municipalities, like Harpswell, provide B-911 service to a portion of the municipality, but persons in other portions of the same municipality must dial seven-digit numbers. Many municipalities have no 911 service at all.

It is possible that some of the municipalities that do not have 911 service, as well as those that have 911 service in only a portion of their areas, are waiting for the implementation of Enhanced 911 (E-911). E-911 service will provide PSAP attendants with the exact street address of the calling number. The same capability that allows identification of the caller's location will also allow direct routing of calls to the correct PSAP, based on the political unit in which the calling number is located. Harpswell agrees that this capability of E-911 will resolve its problems and will moot its claimed

need for a 911 service that would be based on number translation and forwarding of the call to the CCSD PSAP.

Because of the problems of identifying the locations of calling numbers, provision of B-911 service to all portions of a municipality is difficult or impossible whenever: the municipality is served by more than one telephone exchange; one (or more) of those exchanges provides service to other municipalities; and one (or more) of those other municipalities has 911 service that must be directed to a different PSAP. In this case, the emergency calls of some persons (the Harpswell residents in the Brunswick exchange) must be sent to one PSAP (CCSD) and the emergency calls of other persons (the Brunswick residents located in the Brunswick exchange) must be sent to another PSAP (Brunswick).

It is not possible to use customers' existing phone numbers to identify the municipality in which the lines are located (and to route calls accordingly), because telephone numbers have not been assigned on the basis of municipalities.⁴ Reassignment of telephone numbers within an exchange on the basis of municipalities would cause substantial disruption to many customers in all municipalities served by the exchange. As discussed below, E-911 service is likely to be provided at about the same time as the service proposed by Harpswell could be provided. The service proposed by Harpswell is clearly inferior to E-911 service, and it may not even be clearly superior to the service currently received by the portion of Harpswell that is served by the Brunswick exchange.

Implementation of E-911 is the most effective solution for the problem faced by Harpswell and other municipalities. There have been numerous state government delays in implementing E-911. According to BA-ME's witness, Donald Albert, much of the delay can be attributed to the fact that Maine has decided to have multiple PSAPs. Multiple PSAPs and overlapping municipal-exchange boundaries have undoubtedly also impeded the deployment of B-911 service. With fewer, and larger, PSAPs, there will be fewer circumstances where there are mismatches between political and telephone exchange boundaries. Such mismatches will occur only around the edges of the larger PSAP coverage area and not at the edges of every small political unit within the larger area. Mr. Albert described two states, New Jersey and Maryland, that have only one PSAP for the whole state and have had E-911 service for a number of years. In Maine, at least one county, Oxford, has only one PSAP (the Sheriff's Department) and has B-911 service throughout the county.

⁴The Town, in its exceptions to the Examiner's Report, claimed this statement is not correct but provides no explanation for its claim. In fact, it is only possible to use existing numbers as an identifier if numbers are reassigned on the basis of municipalities, as explained immediately following the contested statement. Alternatively, additional information (specifically, the town in which the calling number is located) may be added to the database that the switch accesses for determining the routing of the call. In that case, however, it is the new information that serves as the identifier, not the existing telephone number.

According to the evidence, the State has now established a schedule for implementation of E-911. Under its contract with the State, Bell Atlantic must deliver E-911 services according to that schedule or face severe financial penalties. The State and Bell Atlantic have scheduled the implementation of E-911 for all PSAPs in Cumberland County, including the CCSD PSAP, beginning February 29, 2000. Bell Atlantic testified that under the contract, E-911 must be fully operational at those PSAPs by June 30, 2000. Bell Atlantic expects to implement E-911 on schedule and does not foresee any delays. No evidence was presented to the contrary. Mr. Weil testified that representatives of the Cumberland County Sheriff's Department have stated that the CCSD PSAP is prepared for the implementation of E-911 service and that they foresee no delays.

Despite the fact that the present emergency calling service for the portion of Harpswell served by the Brunswick exchange is less than ideal, we do not find that it is reasonable at the present time to order Bell Atlantic to provide the substitute 911 service requested by the complainants. We make that ruling primarily because E-911 service will provide the relief requested by Harpswell, along with the other benefits of E-911. As discussed above, the evidence indicates that E-911 service will be provided to Harpswell within six months, and implementation of the service requested by Harpswell is likely to take about the same amount of time.

Moreover, while we do not rely heavily on cost issues in deciding this case, we are not persuaded that imposing the cost of granting Harpswell's request on other Bell Atlantic ratepayers is justified. Bell Atlantic claims it would be necessary to make changes to ten major computer systems at the Brunswick central office in order to provide the requested service. Included are changes to the "line class codes" that determine whether a call is local or toll, whether optional calling plans apply, whether certain kinds of blocking should apply and a variety of other functions including the routing of 911 calls. Harpswell customers in the Brunswick exchange have approximately 100 line class codes. According to Mr. Albert, it would be necessary to create new line class codes in order to direct those calls coming from locations within the Town of Harpswell. Mr. Albert claimed it would be necessary to create "mirror images" of the existing line class codes in order to add the necessary line class codes for the customers located in Harpswell. He also claimed that ongoing "operational difficulties and errors" would occur because all ordering and service personnel would have to be aware of the "unique" configuration for lines in Harpswell served by the Brunswick exchange.

To provide the proper routing, it is of course necessary to identify the Brunswick exchange customers who reside in Harpswell. That information exists, as the Town has been required to provide it to the State and to Bell Atlantic for the implementation of E-911. Bell Atlantic would have to take that information and add it to new fields in an existing database. If the service were implemented, when a 911 call was received at the Brunswick switch, the switch would check the line class codes for a code that would indicate whether the call came from a location within the Town of Harpswell. If so, the

switch would translate the call to seven-digit number in the Windham (exchange 892) and route it over interoffice trunks to the CCSD PSAP in Windham. Calls from Brunswick locations would continue to go directly to the Brunswick PSAP.

In addition to the problem of creating new class codes, Bell Atlantic also claims that it is not as easy to translate a 911 call into an 892-XXXX call as it is to translate a 729-8000 call into an 892-XXXX call. Harpswell has assumed that 911 calls from the portion of Harpswell served by the Brunswick exchange could be forwarded to Windham with remote call forwarding, but Bell Atlantic claims that assumption is not correct. According to Mr. Albert, central office switches respond to a 911 call in a fundamentally different way than they do to an ordinary seven-digit number (such as 729-8000). A dialed 911 triggers different functions in the switch, including the technical features that exist with B-911. As explained by Mr. Albert, B-911 calls are routed to a different, more reliable, portion of the local switch than are seven-digit calls. Because all 911 calls within the Brunswick exchange are initially handled as B-911 calls, i.e., with B-911 call controls, they will be routed to the B-911 portion of the switch. Bell Atlantic claims that because of the routing that would take place within the Brunswick switch, it is not possible to use ordinary remote call forwarding to reroute a 911 call to another exchange.

Bell Atlantic estimates that the work necessary to implement Harpswell's proposal would cost, at a minimum, \$175,000 (or \$113 per line for the 1550 Harpswell lines served by the Brunswick switch) to create the necessary new line class codes, and that the work would take at least six months. Mr. Albert stated that both the cost and time estimates were very preliminary, and claimed that each estimate was "a minimum, knowing that I've left some things out because I haven't taken the time to include all the details, so the real answer would be something higher than what I'm going to give." The town did not present any evidence to the contrary, either directly or through cross examination.⁵

As indicated above, it is likely that the service requested by Harpswell could not be provided any sooner than E-911 service will be provided, and it is clear that E-911 service is superior in many respects. Even if E-911 were not to be provided in the near future, it is by no means clear from the evidence that the existing seven-digit emergency calling service to the portion of Harpswell served by the Brunswick exchange is substantially inferior to the service proposed by Harpswell.

Plainly, there are some potential benefits to an ability to dial 911 and attain a direct connection between the caller and the PSAP that dispatches the emergency service. However, a caller who dials 729-8000 will be connected directly to the CCSD PSAP, in much the same manner as the interim 911 service Harpswell has proposed.

⁵ Because of the delays in the proceeding, Bell Atlantic's cost evidence was first presented at the hearing rather than in prefiled testimony. Harpswell therefore had no opportunity to conduct discovery or otherwise prepare to address Bell Atlantic's evidence.

The connection will be over non-dedicated lines between Brunswick and Windham and without the B-911 protective features, in contrast to the B-911 service available in the portion of Harpswell served by the Harpswell exchange that uses dedicated lines. A caller from the portion of Harpswell that is served by the Brunswick exchange who “mistakenly” dials 911 will not be provided with a link to the PSAP that dispatches the emergency services for Harpswell, but will be connected to a professional 911 attendant in Brunswick, who is trained to obtain information from callers and to convey it accurately to rescue, fire and police personnel. The trained attendant is presumably also qualified to convey the information accurately to another professional 911 attendant at the CCSD PSAP, who has similar training. There is some loss in time (and possibly some loss of accuracy) in the extra step of conveying the information from the Brunswick PSAP to the CCSD PSAP. On the other hand, if the call is to the Brunswick PSAP, the “called party hold” feature of B-911 will hold the line to the caller open, even if the caller hangs up. That advantage is not available either with 729-8000 remote-call-forwarded calls or with the similar interim 911 service proposed by Harpswell.⁶

Any balancing of the costs of implementing the proposed service (which are to some extent unexplored) against the benefits of the service it is surely affected by the amount of time that the proposed interim service would be in effect. If this case had been processed in a more timely fashion the cost-benefit ratio would likely have been different, but we express no opinion on whether the balance would have been sufficiently different at an earlier time to warrant a different result. We do note, however, that E-911 has always been the preferred solution, that “mistaken” calls to 911 receive a professional response, and that the present service is not clearly inferior to the proposed interim service. It is therefore not obvious that at some earlier date we would have found the existing service to be unreasonable.

We also note that the complaint was brought pursuant to 35-A M.R.S.A. § 1302 and necessarily invokes the “unreasonable” standard of sections 1302 and 1306. If service is found to be unreasonable, it is likely that the cost of providing reasonable service would not be borne solely by the complainants but by ratepayers as a whole. A different set of issues may have been presented if Harpswell had requested the service

⁶ In its exceptions, Harpswell objects to the “[substitution] of the Examiner’s (and eventually the Commission’s) judgment for that of the Town officers in determining what constitutes adequate emergency telephone service for the Town” While the Commission appreciates the Town’s concern for the welfare of its citizens, Harpswell has asked the Commission to determine, under 35-A M.R.S.A. § 1306, that its existing emergency calling services from Bell Atlantic are insufficient or unreasonable, and that Bell Atlantic’s refusal to provide the service requested by Harpswell is an unreasonable act. Pursuant to the statute involved by the Town, the Commission has the obligation to address and answer those questions.

pursuant to Bell Atlantic's special assembly terms and conditions, and had made clear in its complaint that it had been willing to pay for a special service.⁷

Finally, while Harpswell has raised concerns in this case that are worthy of consideration, no other municipality has filed a similar complaint with this Commission or claimed that its emergency calling service from Bell Atlantic is inadequate.⁸ 911 service is far from universal in Maine, either within areas of a municipality or for all emergency services within a municipality. More than half of the locations⁹ listed in the Bell Atlantic directories have no 911 service at all; some locations have 911 service for one or two, but not all three emergency services. Twenty four municipalities that are served by Bell Atlantic, and others that are served by independent telephone companies, have portions of their areas that have 911 service and portions that must call seven-digit numbers.¹⁰

IV. CONCLUSION

For the foregoing reasons, we decline to grant the relief requested by the Town of Harpswell et al. in this case.

⁷ At the hearing, Mr. Weil stated, "I at no time said the town would be unwilling to pay a reasonable cost to have this service ... if the Commission made a determination of the cost that it was satisfied ... was ... accurate ..., we would certainly ... be prepared to take it to the town to see if it would support the cost financially."

⁸ Twelve residents of Augusta (but not the City of Augusta) have filed a complaint with the Commission in Docket No. 99-712 requesting (1) that they be move from the Gardiner exchange to the Augusta exchange because they "have a local calling area that does not fit [their] community of interest" and (2) because their "emergency 911 calls are routed to Gardiner where they have to be rerouted to Augusta".

The Town presented as a witness a representative of the Maine Municipal Association who had spoken with officials of nine municipalities (out of about 24) that have "split" service, i.e., part of a town with 911 service and part with 7-digit emergency number(s). In the surveyed municipalities, the emergency service calling numbers for between 5 and 30 percent of the lines are 7-digit numbers, and the municipalities expressed varying levels of concern. As noted above, however, none of those municipalities has filed a complaint with the Commission.

⁹ Many of the locations listed in Bell Atlantic's directories represent areas within municipalities rather than whole municipalities.

¹⁰ The inclusion of this information is in no way intended to suggest any criticism of Harpswell for seeking what it believes would be a superior service for its community. Rather, we believe the information is relevant to our conclusion that the current situation in Harpswell, when viewed in light of the expectation that E-911 will soon be available, is not "unreasonable" under the statute.

Dated at Augusta, Maine, this 11th day of February, 2000.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond

COMMISSIONER ABSENT: Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.